



City Council Agenda

Council President
Chris Mathys

Council Members

Garry Bredefeld
Mike Briggs, Acting President
Henry Perea

Sal Quintero
Daniel Ronquill
Ken Steitz

City Manager
Jeffrey M. Reid

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cant Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, OCTOBER 6, 1998

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. (THE AGENDA IS AVAILABLE ON WWW.CI.FRESNO.CA.US)

9:00 A.M. Roll Call

Invocation by Pastor Bufe Karraker of Northwest Church

Pledge of Allegiance to the Flag

Introduction of Visitors from Sister City Kochi, Japan - Council President Mathys

Presentation of Awards to Bullard T.A.L.E.N.T. Honor Roll Students - Council President Mathys

Proclamation of "CIVIL WAR REVISITED WEEKEND"

Proclamation of "SAVE TODAY FOR TOMORROW DAY"

Proclamation of "WHITE CANE/GUIDE DOG SAFETY DAY"

Proclamation of "FRESNO FREE COLLEGE FOUNDATION DAY" - Councilmember Quintero

Resolution of Commendation to Edison High School Senior, Dale Herzog, for receiving the State Science Championship Award - Councilmember Ronquillo

COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve Council minutes of September 29, 1998

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

8:45 A.M. REGULAR MEETING OF THE REDEVELOPMENT AGENCY:

Approve Agency minutes of September 29, 1998

Action Taken:

- A. Consider extension of and terms and conditions of employment contract with Executive Director of the Redevelopment Agency of the City of Fresno (*Agency action*)

Action Taken:

ADJOURN AGENCY

9:45 A.M. * BILL - (FOR INTRODUCTION) - Amending Section 8-1212.1 of the Fresno Municipal Code relating to Mobilehome Rent Review and Stabilization - Council President Mathys

Action Taken:

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

- A. Direct staff to report to Council regarding the findings after its review is completed of the 1997 and 1998 automatic government pass through rent increases relating to the Woodward Bluffs Mobile Home Park - Councilmember Bredefeld

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

10:15 A.M. - 10:30 A.M. - RECESS

- 10:30 A.M. HEARING** to consider the adoption of a resolution to vacate a portion of Nees Avenue from Freeway 41 westerly to a point near Poplar Avenue and portions of the relinquishment of access rights along Blackstone Avenue between Nees Avenue and Alluvial Avenue

Action Taken:

- a. * **RESOLUTION** - Ordering the vacation of a portion of Nees Avenue from Freeway 41 westerly to a point near Poplar Avenue and portions of the relinquishment of access rights along Blackstone Avenue between Nees Avenue and Alluvial Avenue

Action Taken:

- 10:40 A.M. HEARING** to consider the adoption of a resolution to vacate a portion of Calimyrna Avenue between Stanford and Brawley Avenues

Action Taken:

- a. * **RESOLUTION** - Ordering the vacation of a portion of Calimyrna Avenue between Stanford Avenue and Brawley Avenue

Action Taken:

- 11:00 A.M. HEARING** to consider a resolution of public use and necessity for acquisition of easements from Hugo Kevorkian, et al., for construction of the Grantland Trunk Sewer

Action Taken:

- a. * **RESOLUTION** - Determining that the public interest and necessity require the construction of the Grantland Avenue Trunk Sewer Project, and the acquisition of permanent and temporary construction easements within or contiguous to, the Hugo Kevorkian, et al. property for the construction of a fifteen-inch sewer lateral line to the Grantland Trunk Sewer Line

Action Taken:

2:00 P.M.#1 DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)

2:00 P.M.#2 CLOSED SESSION:

- A. **CONFERENCE WITH LABOR NEGOTIATOR** - Government Code Section 54957.6
City Negotiators: Jeffrey M. Reid, Jorge Aguiniga, Andrew T. Souza
Employee Organization(s): IBEW impass issues
- B. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** - Government

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

Code Section 54956.9, Subdivision (a)

1. **Case Name:** Howard Jarvis Taxpayers Assn., et al. v. City of San Diego

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

5:15 P.M. CONTINUED HEARING to consider Plan Amendment No. A-98-12, Rezoning Application No. R-98-19, and environmental findings, filed by James Oakes, AIA, on behalf of the Educational Employees Credit Union, for an approximately 16,500 square-foot property located on the west side of N. Forkner Avenue approximately 400 feet north of W. Shaw Avenue

Action Taken:

a. **RESOLUTION** - Amending the Bullard Community Plan from low density residential use to commercial-parking use

Action Taken:

b. **BILL** - Amending the Official Zone Map from the R-1-AH Zone District to the "P" Zone District

Action Taken:

5:30 P.M. CONTINUED HEARING on consideration of bills relating to advertised structures (billboards)

Action Taken:

a. Consider the appeal of the findings of the Negative Declaration prepared for Environmental Assessment No. TA-97-09

Action Taken:

b. Adoption of Negative Declaration for Environmental Assessment No. TA-97-09

Action Taken:

c. Text Amendment No. TA-97-09 proposing changes to Fresno Municipal Code Article 2, Chapter 12, related to advertising structures (*for introduction*)

1. * **BILL** - Alternative No. 1 as proposed by advertising industry

Action Taken:

2. * **BILL** - Alternative No. 2 as proposed by staff

Action Taken:

d. Continue hearing on adoption of Text Amendment No. TA-97-09 proposing changes to Fresno Municipal Code Article 2, Chapter 12, relating to advertising structures

Action Taken:

1A. GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED BY THE CITY COUNCIL TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.#1)

1. * **RESOLUTION** - 31st amendment to AAR No. 98-159 appropriating \$10,000 to establish a reward fund for information leading to the location and recovery of Margarita Flores (*Requires 5 affirmative votes*)

Action Taken:

2. Approve reappointment of Frank Franco to the Fresno Metropolitan Flood Control Board - Mayor

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

Patterson (*for adoption*)

Action Taken:

1A. **GENERAL CONSENT CALENDAR CONTINUED**

3. * **RESOLUTION** - 27th amendment to AAR No. 98-159 appropriating \$7,000 of District 5's Infrastructure Capital to provide funding for the After School Homework Center Program at South East Middle School upon final agreement with Fresno Unified School District (***Requires 5 affirmative votes***)
Action Taken:
4. * **RESOLUTION** - 28th amendment to AAR No. 98-159 by appropriating \$500 from District 2's Infrastructure Capital to provide funding to the Alpha House (***Requires 5 affirmative votes***)
Action Taken:
5. * **RESOLUTION** - 26th amendment to AAR No. 98-159 appropriating \$5,000 of District 7's Infrastructure Capital to provide funding for the After School Homework Center Program at Kings Canyon Middle School upon final agreement with Fresno Unified School District (***Requires 5 affirmative votes***)
Action Taken:
6. Award a contract for custodial services at City Hall
Action Taken:
7. Award a contract for custodial services at outlying facilities
Action Taken:
8. * **RESOLUTION** - 24th amendment to AAR No. 98-159 appropriating \$381,500 of Federal Aviation Administration (FAA) Grant Revenues for rebudget of the existing Airport Improvement Program (AIP) Grant No. 3-06-0087-22 for construction of improvements at the Fresno Yosemite International Airport (***Requires 5 affirmative votes***)
Action Taken:
 1. Award a contract for Fresno Yosemite International Airport reconstruction of taxiway "A" crossing, reconstruction of taxiway "N" holding apron and Airport Rescue Firefighting (ARFF) Station improvements
Action Taken:
9. * **RESOLUTION** - 32nd amendment to AAR No. 98-159 appropriating \$2,500 of District 3's Infrastructure Capital to fund the After School Homework Center Program for Bethune Elementary School upon final agreement with Fresno Unified School District (***Requires 5 affirmative votes***)
Action Taken:
10. **RESOLUTION** - Certifying that provisions have been made for segregation of the existing assessment to each of the new parcels being created by Parcel Map No. 98-11
Action Taken:
11. Approve the 2nd amendment to the Construction Management Services (Amendment to Agreement) being provided by Sverdrup Corporation for the expansion of the Wastewater Treatment Plant Phase IB (80 MGD)

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

Action Taken:

1A. **GENERAL CONSENT CALENDAR CONTINUED**

12. * **RESOLUTION** - 29th amendment appropriating \$100,000 for Phase II of the evaluation of a potential claim against the United States Bureau of Reclamation to avoid imposition of excessive charges for central valley project delivered water (*Requires 5 affirmative votes*)

Action Taken:

13. **RESOLUTION** - Authorizing submission of all relevant information required by the State of California Office of Traffic Safety and to sign the Grant Award Agreement to receive funds to undertake the Bicycle and Pedestrian Safety Program

Action Taken:

14. * **RESOLUTION** - 30th amendment to AAR No. 98-159 appropriating \$42,900 of the prior year unexpended federal asset seizure funds to pay for the continued operation of the M.A.G.E.C. Program (*Requires 5 affirmative votes*)

Action Taken:

15. * **RESOLUTION** - 33rd amendment to AAR No. 98-159 appropriating \$20,000 to provide funding for the After School Homework Center Program at participating elementary, middle and junior high schools upon final agreement with Fresno Unified School District (*Requires 5 affirmative votes*)

Action Taken:

1B. **CONSENT CALENDAR - BILLS FOR INTRODUCTION - PINK TABS**

1. * **BILL** - Amending Sections 9-806 and 9-810 of the Fresno Municipal Code relating to the appeal provisions of the Public Nuisance Ordinance

Action Taken:

1. **PLANNING AND ZONING ADMINISTRATION**

2. **GENERAL ADMINISTRATION**

- A. Status report on the Conference Center Parking Garage: repair - replacement strategies

Action Taken:

- B. Should the City Council amend the Fresno Municipal Code to delete or modify the mandatory retirement age for members in the Fire and Police Retirement System

1. * **BILL - (for introduction)** - Amending the Fresno Municipal Code relating to deletion of mandatory retirement age (*Option 1*)

Action Taken:

2. * **BILL - (for introduction)** - Amending the Fresno Municipal Code relating to deletion of mandatory retirement age procedure (*Option 2*)

Action Taken:

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

4. **CITY ATTORNEY**

- A. Report to Council regarding the status of the proposed tow car ordinance
Action Taken:

5. **CITY COUNCIL**

- A. **Set October 20, 1998 at 9:15 A.M. for:** Direction to staff to prepare Requests for Proposal (RFPs) for the purpose of developing and initiating a public awareness campaign to decrease red light running violations - Councilmember Bredefeld
Action Taken:
- B. Reconsideration and possible revision of Rule 16(g) of Council Rules and Protocol - Councilmember Bredefeld
Action Taken:
- C. Report by City Attorney regarding review of Landscape Maintenance Agreement with Tree Fresno and the Memorandum of Understanding (MOU) with Local 39
Action Taken
1. Appearance by Alex Correa, Local 39, to review Tree Fresno proposal - Councilmember Perea
Action Taken:
- D. Direct staff to utilize all resources deemed appropriate, at the discretion of the Public Works Director, for the timely completion of Olive Avenue between Van Ness and Blackstone Avenues - Councilmembers Briggs and Ronquillo
Action Taken:

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS -** You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

Oct. 13 - NO MEETING

Oct. 20 - 9:30 A.M. HEARING re: Plan Amendment to Woodward Park Community Plan, P.A. No. 98-20, filed by Demco, Inc.

Oct. 20 - 10:00 A.M. Employee Service Awards Presentation and Reception

Oct. 20 - 10:45 A.M. HEARING re: Rezone Appl. No. R-98-21, filed by Prestige Care, Inc.

Oct. 20 - 11:00 A.M. HEARING on Rezone Appl. No. 98-27, filed by WestCal, Inc

Oct. 20 - 11:30 A.M. HEARING on Rezone Appl. No. 98-25, filed by Gary Browns

Oct. 20 - 5:00 P.M. Adoption of bills re: to advertised structures

Oct. 20 - 5:30 P.M. JOINT HEARING WITH RDA on Merger No. 2 and Certifying EIR No. 10125

Oct. 27 - 9:00 A.M. Presentation of Employee P.R.I.D.E. Team Awards and Reception

Oct. 27 - 11:00 A.M. HEARING on T.A. No. 97-08 - CUP for sale of alcoholic beverages

Nov. 3 - ELECTION DAY - MEETING TO BE DETERMINED

Nov. 10 - 11:00 A.M. HEARING on P.A. No. 98-011, Rezone Appl. R-98-018, filed by Paul Lucich

Nov. 10 - 11:30 A.M. HEARING on Rezone Appl. No. 98-026, filed by Nick Shubin

Nov. 10 - 3:00 P.M. Proposed text amendment dealing with the establishment of residential water rates - Council President Mathys

Nov. 24 -. NO MEETING - THANKSGIVING WEEK

DEC. 15 - 2:30 P.M. CONTINUE HEARING re: City of Fresno Community District No. 2, Annexation No.
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